

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

LUIS ALEJANDRO GARZA

VS.

THE UNITED STATES OF  
AMERICA

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CIVIL ACTION NO. B-02-154  
FEDERAL TORT CLAIMS ACT

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**EXHIBIT "4"**

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BROWNSVILLE DIVISION

LUIS ALEJANDRO GARZA

VS.

THE UNITED STATES OF  
AMERICA

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CIVIL ACTION NO. B-02-154  
FEDERAL TORT CLAIMS ACT

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**LUIS ALEJANDRO GARZA'S SECOND REQUEST  
FOR PRODUCTION TO THE UNITED STATES OF AMERICA**

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TO: THE UNITED STATES OF AMERICA, DEFENDANT, by and through its  
attorney of record, to wit:

Ms. Nancy L. Masso  
Assistant U.S. Attorney  
600 E. Harrison St., No. 201  
Brownsville, Texas 78522

COMES NOW, Plaintiff, LUIS ALEJANDRO GARZA, in the above-entitled and  
numbered cause and submits these his first Request For Production to Defendant,  
THE UNITED STATES OF AMERICA.

You are hereby requested, pursuant to the Federal Rules of Civil Procedure,  
Rule 34, to make available to the Plaintiff, LUIS ALEJANDRO GARZA, at the Law  
Office of Barry R. Benton, 284 Ebony Ave., Brownsville, Texas, on the thirtieth (30)  
day after personal service of this Request upon you (thirty-three (33) days if your  
receipt is by mail or telephonic document transfer) for the purposes of inspecting,  
photographing, and copying, all documents and tangible things which are in your

(P)  
6-16-02

possession, your attorney's possession, or subject to your possession and are described and identified in Exhibit "A" attached hereto.

The above-referenced documents and tangible things to be produced will be duly safeguarded and returned to you with reasonable dispatch upon completion of the duplication process and without harm to the originals.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barry R. Benton", is written over a horizontal line.

Barry R. Benton  
284 Ebony Avenue  
Brownsville, TX 78520  
Telephone : 956-546-9900  
Facsimile : 956-546-9997  
State Bar No. 02176500  
Federal I.D. No. 3968

**ATTORNEY FOR PLAINTIFF  
LUIS ALEJANDRO GARZA**

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the above and foregoing Plaintiff's First Requests For Production to Defendant, was hand-delivered to all counsel of record, to wit:

Ms. Nancy L. Masso  
Assistant U.S. Attorney  
600 E. Harrison St., No. 201  
Brownsville, Texas 78522

on the 17<sup>th</sup> day of May, 2006.

  
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BARRY R. BENTON

**EXHIBIT "A"**  
**ITEMS TO BE PRODUCED BY DEFENDANT**  
**THE UNITED STATES OF AMERICA**  
**DEFINITIONS**

**"Documents and tangible things"** - has the meaning given that phrase in Texas Rules of Federal Procedure 34, and also means the originals and all non-identical copies (whether by reason of marginal or other notes, markings, alterations, modifications, changes or amendments) of any writing or tangible thing, including, but not limited to any written, typewritten, handwritten, printed, transcribed, punched, taped, filmed, recorded, computer produced or graphic material, however produced or reproduced, correspondence, notes, telegraphs, telegrams, memoranda, contracts, inter-office or intra-office communications, offers, leases, agreements, transactions, of records or recordings, summaries or records of telephone or personal conversations, summaries of records or minutes of meetings or conferences, agendas meetings or conferences, studies, analysis, evaluation, work papers and all drafts, specifications, guidelines, technical journals, articles, instruction manuals, papers or other publications, drawings, maps, plans, tables, graphs, charts, bulletins, circulars, brochures, pamphlets, manuals, books, prospectuses, computer printouts, teletypes, telefax, invoices, graphic or manual records, photographs, notebooks, records, desk calendars or diaries, day books, business records, electronic, mechanical or electric records, or representation of any kind (including without limitation, tapes, cassettes, disks, recording, microfiche, microfilm, video tapes, and motion pictures, books of account, ledgers, budgets, or any other papers or things purporting to be a document and/or tangible thing.

**"Identify"** - means state the name, address and phone number.

**"The incident"** - means the incident that occurred on February 6, 2001 described in Plaintiff's lawsuit.

**REQUEST FOR PRODUCTION**

1. Please produce all documents connected with the prosecution and/or conviction of any persons alleged to have committed a crime during the incident which is the basis of this lawsuit.

**RESPONSE:**